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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,839	01/05/2004	Yoon-seop Eom	1293.1940	2489
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER TYLER, NATHAN K	
			ART UNIT	PAPER NUMBER
			2609	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/23/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/750,839

Applicant(s)

EOM, YOON-SEOP

Examiner

Nathan K. Tyler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 05012004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Suggestions***

1. Removing the word "the" in the phrase "selectively outputting ~~the~~ at least one" at **claim 1**, line 10 is suggested. A similar suggestion applies to **claim 13**.

### ***Claim Objections - 37 CFR 1.75(a)***

2. The following is a quotation of 37 CFR 1.75(a):

The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

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3. Claims 24, 33, and 34 are objected to under 37 CFR 1.75(a) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery.

**Claim 24** recites "The apparatus of claim 1," however claim 1 is a method claim, not an apparatus claim. However, it appears from the context of the claim when read in light of the specification that claim 24 should instead depend from claim 13, and this will be assumed for examination purposes.

Regarding **claim 33**, the term "the first image processor" at line 1 lacks an antecedent basis. However, it appears from the context of the claim when read in light of the specification that "the first image processor" is in fact referring to the "first data image generator" first introduced at line 2 of claim 26; and this will be assumed for examination purposes.

Additionally, the term "the second image data processor" at line 2 lacks an antecedent basis. However, it appears from the context of the claim when read in light of the specification that "second image data processor" is in fact referring to the "second image generator" first introduced at line 4 of claim 26; and this will be assumed for examination purposes.

A similar objection applies to **claim 34**.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 4, 6, 7, 8, 11, 12, 13, 16, 18, 19, 20, 23, 25, 26, 27, 28, 29, 30, 32, 33, and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Hewitt (GB 2371386 A).

Regarding **claims 1, and 13**, Hewitt discloses a color image forming method and corresponding apparatus (“Related factors include... color depth (or bits per pixel for monochrome grayscale or side band cases)” at page 6, line 38. Monochrome data is presented as an alternate embodiment, this indicates that Hewitt’s preferred embodiment operates on color image data) that is connected to a host computer and which receives image forming data generated in the host computer, comprising: generating first image data image-processed into a format suitable for use in a color image forming engine by a first image processor disposed within the color image forming apparatus (Fig. 1, numeral 24: “Formatter.” “the printer formatter 24 includes all the necessary hardware and firmware required to convert a print job PDL file to a HRB file” at page 6, line 7); generating second image data image-processed into a format suitable for use in the color image forming engine by a second image processor disposed outside the color image forming apparatus (Fig. 1, numeral 22: “RIP Engine.” “Host computer 12 also includes... a formatter or RIP engine 22 including all the necessary hardware and firmware required to convert a print job PDL file to a hardware ready bits (HRB) file” at page 6, line 1); and receiving at least one of the first and second image data and selectively outputting

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the at least one of the first and second image data to the color image forming engine (Fig. 1, numeral 26: "Print Engine." "When the printer formatter 24 completes the formatting of a print job, the HRB file is sent to the print engine 26 to print the job" at page 6, line 9. "In the event the RIP control module 32 determines that the print job should be processed at the host computer 12, the print job PDL file is passed to the RIP engine 22, processed and then transmitted directly to the print engine 26 via I/O communication channels 20, 28 and the communication link 16 as a HRB file" at page 6, line 32) via an image data controller disposed within the color image forming apparatus (Fig. 2, numeral 28: "Printer I/O").

Regarding **claims 4 and 16**, Hewitt discloses that the first image processor is slower than the second image processor ("Typically, the host computer 12 will have greater processing power [than the printer]" at page 11, line 11).

Regarding **claims 6 and 18**, Hewitt discloses that the second image processor operates according to a page description language (PDL) format ("RIP engine 22 including all the necessary hardware and firmware required to convert a print job PDL file to a hardware ready bits (HRB) file" at page 6, line 3).

Regarding **claims 7 and 19**, Hewitt discloses that the second image processor has a video controller which operates according to the PDL format (Fig. 2: image processor 22 includes elements 38, 40, 42, and 44, which together perform the same functions as those performed by applicant's "video controller" as disclosed, and which operate according to a PDL format. See above grounds for rejection).

Regarding **claims 8 and 20**, Hewitt discloses driving, via the color image forming engine, mechatronics to form the color image (“the imaging device 14 is in the form of a laser printer 14 that employs an electrophotographic drum imaging system” at page 5, line 15).

Regarding **claims 11 and 23**, Hewitt discloses the image data controller is located within the first image processor (Fig. 2: “Language Firmware” 48, which is located within image processor 24 “printer formatter,” receives at least one of the first and second image data (the first image data) and selectively outputs the first image data to the color image forming engine.

Regarding **claims 12, 25, and 33**, Hewitt discloses that the second image processor is slower than the first image processor (the second image processor is slower than the first image processor when step 102 of Fig. 4 is carried out; see page 11, lines 26-33).

Regarding **claim 26**, Hewitt discloses a color image forming system comprising: a color image forming apparatus having therein a first data image generator which generates first image data (Fig. 2, numeral 50: “RIP”); a second image generator which generates second image data and is external to the color image forming apparatus (Fig. 2, numeral 38: “RIP”); an image data controller which receives the first and the second image data, selectively outputs the first and the second image data (This limitation is met in two ways, as shown in Fig. 2. First, numeral 26: “Print Engine” also functions as the image data controller as it receives both the first and second data and selectively outputs whichever data is received. Second, numeral 28: “Printer I/O” selectively determines whether the Print Engine will output the first image data or second image data.); and a color image forming engine which receives the first and the second data from the image data controller and which is disposed in the color image forming apparatus (Fig. 2, numeral 26: “Print Engine”).

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Regarding **claim 27**, Hewitt discloses a first image processor in which the first image data generator is disposed (Fig. 2, numeral 24: "printer formatter").

Regarding **claim 28**, Hewitt discloses a first image processor in which the image data controller is disposed (both of the aforementioned image data controller elements are contained with an image processor: Fig. 2, numeral 14 "Imaging Device").

Regarding **claim 29**, Hewitt discloses a second image processor in which the second image data generator is disposed (Fig. 2, numeral 22: "RIP engine").

Regarding **claim 30**, Hewitt discloses a host computer in which the second image processor is disposed (Fig. 2, numeral 12: "host computer").

Regarding **claim 32**, Hewitt discloses an engine mechatronics unit, wherein the color image forming engine includes an engine controller which receives the first and the second image data and which controls the engine mechatronics unit to form an image ("the imaging device 14 is in the form of a laser printer 14 that employs an electrophotographic drum imaging system" at page 5, line 15).

Regarding **claim 34**, Hewitt discloses that the second image generator is faster than the first data image generator ("Typically, the host computer 12 will have greater processing power [than the printer]" at page 11, line 11).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person



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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 14, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hewitt and Ip (US 5600804 A).

Regarding **claims 2 and 14**, while Hewitt discloses the limitations of claims 1 and 13, from which claims 2 and 14 depend respectively, Hewitt does not disclose that the second image processor is a system expansion card which is insertable into the host computer.

Ip discloses an image processor that is a system expansion card which is insertable into a host computer (Fig. 2, numeral 27 "option board." "Option boards may also include... rasterizer boards so as to permit rasterization of page description language commands" at column 3, line 24).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to place the second image processor in the host computer taught by Hewitt on a removable system board as taught by Ip, so that the second image processor taught by Hewitt may be upgraded, or more easily/cheaply replaced in the event of failure.

Regarding **claim 31**, while Hewitt discloses the limitations of claim 30, from which claim 32 depends, Hewitt does not disclose that the second image processor is a system expansion card insertable into the host computer.

Ip discloses a second image processor that is a system expansion card insertable into a host computer (see above grounds for rejection).

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It would have been obvious at the time the invention was made to one of ordinary skill in the art to place the image processor in the host computer taught by Hewitt on a removable system board as taught by Ip (see above grounds for rejection).

8. Claims 3, 15, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hewitt and Ferlitsch (US 20040061892 A1).

Regarding **claims 3, 15, and 24**, while Hewitt discloses the limitations of claims 1 and 13, from which claims 3 and 15 depend respectively, Hewitt does not disclose that the second or first image processor is externally attached to the host computer or the image forming apparatus, respectively.

Ferlitsch discloses that the second image processor is externally attached to the host computer and the image forming apparatus (Fig. 11, "RIP Server" 150 externally attached to host computer "Client" 130 and image forming apparatus "Printer" 120).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to move either of the first or second image processors taught by Hewitt to an externally attached server as taught by Ferlitsch, in order to remove the load of processing from the host computer or the printer's CPUs ("this configuration concentrates the resources needed for rasterization in one device that is capable of offloading raster processing from a number of clients and printers" at Ferlitsch paragraph 30, line 9).

9. Claims 5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hewitt and Karaki (US 5699492 A).

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Regarding **claims 5 and 17**, while Hewitt discloses the limitations of claims 4 and 16, from which claims 5 and 17 depend respectively, Hewitt does not disclose that the first image processor operates according to a graphic device interface (GDI) format.

Karaki discloses a rasterization processor that operates according to a GDI format (Fig. 1, rasterizer 17 and accompanying elements 15 and 19 operate on data from "GDI Module" 9).

As the system disclosed by Hewitt rasterizes data to be used by a print engine, it would have been obvious at the time the invention was made to one of ordinary skill in the art to use the rasterization processor disclosed by Karaki as either the first or second image processor taught by Hewitt. This would allow the Hewitt system to rasterize data in a GDI format without the need for a higher level page description language, as GDI is native to the Microsoft Windows operating system and is very common ("MS-Windows by Microsoft Corp. is used as the operating system 7. This operating system 7 includes a graphic device interface... The GDI module 9 supplies the application 5 with a common graphic device interface (GDI) which is prescribed for the convenience of application development and which does not depends [sic] on output devices" at Karaki column 3, line 45).

10. Claims 9, 10, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hewitt and Sugisaki et al (US 5681642 A).

Regarding **claims 9, 10, 21, and 22**, Hewitt discloses that the first and second image processors generate data suitable for use by a color electrostatic image forming device. Hewitt does not disclose that the first or second image processor generates image data suitable for one of a single path mode and a multi-path mode of forming a color image.

Sugisaki discloses a color electrostatic printing system that uses a single path mode and a multi-path mode (“Usual recording system of color electrostatic plotter includes the single path system provided with four multineedle electrode heads (cyan, magenta, yellow and black) and respective developing devices and the multipath system provided with one multineedle electrode and four developing devices corresponding to said respective colors” at column 1, line 27).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to have the first and second image processors taught by Hewitt generate data suitable for use in the single- and multi-path mode electrostatic printing system taught by Sugisaki, as the single- and multi-path modes of forming an image in an electrostatic color printer are well known and readily available (“Usual recording system of color electrostatic plotter includes the single path system... and the multipath system” at Sugisaki column 1, line 27).

### ***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan K. Tyler whose telephone number is 571-270-1584. The examiner can normally be reached on M-F 7:30am - 5:00pm.

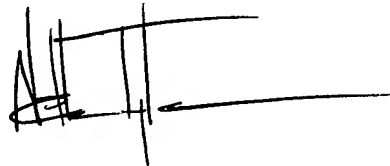
12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on 571-272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



BRIAN WERNER  
SUPERVISORY PATENT EXAMINER



Nathan K Tyler  
Examiner  
Art Unit 2609